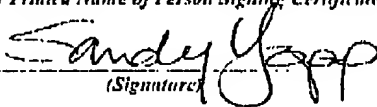


CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. YOR920000503US1
Applicant(s): Robert D. Hayes, et al.			
Application No. 09/711,777	Filing Date November 9, 2000	Examiner Catherine M. Tarac	Group Art Unit 3623
Invention: METHOD AND SYSTEM FOR DYNAMICALLY PROVIDING MATERIALS AND TECHNOLOGY INFORMATION			
<div style="text-align: right;">RECEIVED CENTRAL FAX CENTER MAR 06 2006</div> <p>I hereby certify that this <u>General Transmittal (1 pg); Reply Brief (7 pgs)</u> <small>(Identify type of correspondence)</small> is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>) on <u>March 6, 2006</u> <small>(Date)</small></p> <div style="text-align: right;"><p><u>Sandy Yopp</u> <small>(Typed or Printed Name of Person Signing Certificate)</small></p><p> <small>(Signature)</small></p></div> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

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TRANSMITTAL LETTER (General - Patent Pending)				Docket No. YOR920000503US1	
In Re Application Of: Robert D. Hayes, et al.					
Application No. 09/711,777	Filing Date November 9, 2000	Examiner Catherine M. Tarac	Customer No. 48915	Group Art Unit 3623	Confirmation No. 3454
Title: METHOD AND SYSTEM FOR DYNAMICALLY PROVIDING MATERIALS AND TECHNOLOGY INFORMATION					
COMMISSIONER FOR PATENTS:					
Transmitted herewith is: Reply Brief					
in the above identified application.					
<input checked="" type="checkbox"/> No additional fee is required. <input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 50-0510 as described below. <input type="checkbox"/> Charge the amount of _____ <input type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
Marisa J. Dubuc Registration No. 46,673 Cantor Colburn LLP 55 Griffin Road South Bloomfield, CT 06002 Phone: 860-286-2929 Fax: 860-286-0115			Dated: March 6, 2006		
cc:			<div style="border: 1px solid black; padding: 5px;"><p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</p><p style="text-align: center;">_____ (Date)</p><p style="text-align: center;">_____ Signature of Person Mailing Correspondence</p><p style="text-align: center;">_____ Typed or Printed Name of Person Mailing Correspondence</p></div>		

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPELLANTS: ROBERT D. HAYES, ET AL.)
) Group Art Unit: 3623
)
SERIAL NUMBER: 09/711,777) Examiner:
) Catherine M. Tarac
FILED: November 9, 2000)
)
FOR: METHOD AND SYSTEM FOR) Confirmation No:
DYNAMICALLY PROVIDING) 3454
MATERIALS AND TECHNOLOGY)
INFORMATION)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

In response to the Examiner's Answer mailed January 4, 2006, the Appellants submit the following reply for consideration.

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ARGUMENT

In the interest of facilitating Appellate review, the Appellants will respond to the issues addressed by the Examiner in the order and format presented in the Examiner's Answer.

The Examiner lists six main arguments in the Answer (Answer, pages 10-11). With respect to Argument number 1, the Examiner states that Aycock teaches a survey form. The Examiner asserts that "a survey form is nothing more than a document soliciting some type of information" and that the supplier self-evaluation system of Aycock may be construed as a survey form as it solicits suppliers to answer questions about themselves, citing Figure 6 and col. 12, lines 1-6 in support. The Appellants respectfully submit that the Examiner has erred in her application of the portions of Aycock as teaching a survey form. Column 12, lines 1-6 state, "an interactive self-evaluation [is performed] in preparation for responding to an RFP/RFQ by generating a series of questions for the supplier." As recited in the Appellants' claims, and fully supported in the Appellants' specification, a survey is simply a means for providing an organization with information that does not necessarily precipitate a RFP/RFQ, as is the case with Aycock (support may be found on page 10 of Appellants' specification which states, "[A]ccess to the technology surveys database is initiated when a supplier representative *has new information that he would like to share with the organization* (step 800)" (emphasis added).

With respect to Argument number 2, the Examiner states that Aycock discloses providing the first enterprise system (supplier) with access to a survey form stored in a

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database that is replicated at the second enterprise system, citing reasons presented on page 12 of the Examiner's Answer. With respect to Argument number 3, the Examiner states that Aycock teaches a specific entity requesting an evaluation form, citing reasons presented on page 12 of the Examiner's Answer. With respect to Argument number 4, the Examiner states that Aycock teaches storing the response data in one of draft mode and final mode, citing reasons presented on page 13 of the Examiner's Answer. The Examiner further cites column 3, line 62-column 4, line 6; column 10, lines 55-67; column 11, lines 1-9; column 11, line 51-column 12, line 16; Figure 2; column 13, lines 55-61 and Figure 3 of Aycock as allegedly teaching these features.

The Examiner's argument regarding the teachings of Aycock with respect to downloading/uploading forms between locations as being comparable to the database replication, access, and updating features recited in the Appellants' claims is in error. As stated on page 13 of the Appellants' Appeal Brief (dated October 17, 2005), downloading data, a file, or document is not equivalent to *database replication* (emphasis added). Database replication is a process that allows multiple copies of a database to be provided on different servers, whereas the process of downloading and uploading relates to the transmission of a file or document. Thus, a "database" is not synonymous with a "document" (i.e., supplier responses). Nor is "downloading" equivalent to "replication." While the end result of both processes (i.e., database replication and document downloading/uploading) *may* provide a database that is updated with information as suggested by the Examiner, the fact remains that the particular aforementioned features as recited in the Appellants claims are neither taught, nor suggested, by the Aycock

reference.

Moreover, as recited in the Appellants' claims, the supplier at the first enterprise system is provided with access to a survey form that resides within a **replicated database that is maintained at the second enterprise system** (i.e., is not at the supplier location). Thus, at no time does the survey form, entered data, or other supplier-provided information reside on the supplier's system, which is contrary to the teachings of Aycock. In fact, the very nature of downloading a document necessitates that the document reside on the local device, or device performing the download. This distinction becomes particularly relevant upon consideration of the Appellants' claimed features "the updating including storing the response data in one of a draft mode and a final mode designated by the first enterprise system." Because the survey forms of the Appellants claims always reside on the network system of the second enterprise system (either at the replicated database or the updated database), they are accessible to the second enterprise system (i.e., the host system enterprise). Without the capability to allow the supplier to differentiate between saving a form in a draft mode or a final mode, there would be no mechanism by which the second enterprise system could know whether the saved survey form is a draft (i.e., not ready for processing by the second enterprise) or a final survey, since all surveys are stored in the replicated database *at the second enterprise system* and, as such, are *accessible* to the second enterprise system.

The Examiner states that Aycock teaches an RFP/RFQ that is saved in draft form, citing column 13, lines 55-61. However, this portion of Aycock teaches that a previously saved RFP/RFQ may be edited whereby "the supplier self-evaluation system

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automatically loads the stored answer in step 124 and prompts the supplier whether the answer should be accepted or rejected.” If the Examiner is suggesting that a previously stored, but incomplete RFP/RFQ is synonymous with the draft mode recited in the Appellants’ claims, then this interpretation is in error. For example, while the evaluation system of Aycock may teach a mechanism by which a previously stored, but incomplete, RFP/RFQ may be handled, there is no teaching in Aycock how a fully-completed RFP/RFQ that is not considered to be final may be handled; i.e., according to the teachings of Aycock, if a RFP/RFQ is completed, that is, all answers are complete, then the supplier uploads the completed form to the system. As taught by Aycock, once the RFP/RFQ is uploaded, it is stored in a vendor database for analysis (column 11, lines 1-9). Thus, there is no distinction between a form saved in draft mode or a form saved in final mode at the time the form is uploaded to the main processing system 68. As indicated above, the ability for the supplier system to store the form in either mode is significant, particularly when considering that the forms are created and maintained at the second enterprise system through database replication and never reside at the supplier system. In this manner, the supplier is able to specify, via draft versus final mode indicators, whether the form is ready to be processed by the second enterprise system.

With respect to Argument number 6, the Examiner states that Aycock teaches a request to select a survey type from a list of survey type options, citing column 9, lines 13-20; column 10, line 55-column 11, line 9. However, these portions of Aycock do not address a request from a supplier to select a survey type from a list of survey type options, but rather make general reference to the ability of supplier to obtain information from the

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system databases (e.g., RFP/RFQ processes and standards referenced as provided in column 9, lines 13-17, and to receive information on existing vendor performance reports or product updates, as well as download specifications as provided in column 10, lines 62-66). Thus, the Examiner's claim that Aycock teaches a request to select a survey type from a list of survey type options is in error.

In addition to the Examiner's response to the Appellants' arguments provided with respect to the independent claims in the Appeal Brief, the Examiner, in her Answer, has summarily dismissed each of the Appellants arguments presented with respect to the dependent claims as allegedly being "spurious" arguments amounting to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguish them from the references (see page 11, Answer). The Appellants respectfully submit that the Examiner has erred in failing to supply responses to Appellants arguments made in the Appeal Brief. By way of example, claim 14 provides arguments in support of Appellants' contention that Aycock does not teach an extranet as suggested by the Examiner. The Examiner, in the Final Office Action asserted that Aycock teaches an Extranet, citing column 10, lines 17-23 and Figure 2 in support. In the Appeal Brief, the Appellants argued that Aycock does not teach or even remotely suggest an extranet, but rather teaches nothing more than a communication network 72. In the Appeal Brief, the Appellants directed the Examiner's attention to the system illustrated in Figure 2 and related description. However, the Examiner's Answer fails to address or provide a response to this argument.

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CONCLUSION

In view of the foregoing, it is urged that the final rejection of claims 40-71 be overturned. The final rejection is in error and should be reversed. The fee set forth in 37 CFR 41.20(b)(2) is enclosed herewith. If there are any additional charges with respect to this Reply Brief, or otherwise, please charge them to Deposit Account No. 50-0510.

Respectfully submitted,

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Date: March 6, 2006

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